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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/646,642	08/22/2003	Steven J. Winick	H0003847 (16129)	9786
128	7590	12/29/2004	EXAMINER	
HONEYWELL INTERNATIONAL INC. 101 COLUMBIA ROAD P O BOX 2245 MORRISTOWN, NJ 07962-2245			WALK, SAMUEL J	
			ART UNIT	PAPER NUMBER
			2632	

DATE MAILED: 12/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/646,642

Applicant(s)

WINICK, STEVEN J.

Examiner

Samuel J Walk

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☒ Claim(s) 15 and 16 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 08/22/2003.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Baldwin (US 5971597).

In reference to Claim 1, Baldwin discloses a multifunction occupancy sensor wherein claimed HVAC control system met by HVAC controller (28), see Fig. 1 and Col. 3 lns 39-51; claimed transceiver met by inherent transceiver as sensors and security network include transceivers, see Col. 5 ln 61 and Col. 6 lns 1-10; claimed security control system met by security controller (26), see Fig. 1 and Col. 3 lns 39-51; claimed communication met by data communication network (34) such as RF and employs any suitable common bus data communications protocol to provide interoperability, see Col. 2 lns 60-67 and Col. 6 lns 22-30.

In reference to Claims 2-3, Baldwin further discloses that the lighting, HVAC, DSM and security controllers can

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comprise one composite controller or individual controllers connected to the common data bus such as RF, see Col. 4 lns 18-25. Baldwin also discloses security network might be provided in an entirely separate network using a second transceiver to communicate and that security mode and an energy management mode are utilized, see Col. 6 lns 7-10 and Col. 7 lns 60-64. It is inherent that operational parameters will effect the threshold window of both systems and therefore, the adjustment of those parameters would be necessary for the other system to perform its desired functionality, necessitating shared information and operation.

In reference to Claim 12, Baldwin further discloses that multifunction sensors, that communicate over the data communication network which is RF, include a temperature sensor (18), see Fig. 1 and Col. 3 lns 40-51.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a

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person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baldwin.

In reference to Claim 4, Baldwin discloses a system wherein multifunction sensors are connected to HVAC and security system controllers via an RF data communication network. Baldwin does not specifically disclose that the multifunction sensors are of the security alarm system itself. However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include the multifunction sensors as a part of the security alarm system because it offers the functional equivalence and provides higher fidelity for applications such as intrusion detection.

In reference to Claim 5, Baldwin further discloses that temperature sensors (18) are included in the multifunction sensors, see Fig. 1.

5. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Baldwin in view of Natale (US 4818970).

In reference to Claim 6, Baldwin discloses a system for the monitoring and control of HVAC and security systems. Baldwin does not disclose the deactivation of the

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HVAC system upon detection of smoke or fire. However, Natale teaches of fire condition detection and control system for air moving and filtering units wherein upon generation of a fire condition, such as smoke, the air moving and filtering unit stops the blower motor thus minimizing the spread of a fire, see Col. 3 lns 30-37 and Col. 5 lns 1-27. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the teachings of Natale into the system of Baldwin so that upon the detection of fire, ventilation would be ceased to prevent the spread of fire and smoke.

6. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Baldwin in view of Stern (US 6110038).

In reference to Claim 7, Baldwin discloses a system for monitoring and controlling HVAC and security systems. Baldwin does not disclose the activation of the ventilation upon detection of a carbon monoxide event. However, Stern teaches of a system for detecting and purging carbon monoxide wherein CO detectors detect the presence of carbon monoxide and send an exhaust fan activation signal, see Fig. 1 and Col. 3 lns 40-61. Therefore, it would have been

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obvious to one having ordinary skill in the art at the time the invention was made to incorporate the teachings of Stern into the system of Baldwin to increase the overall safety of those occupying the monitored and controlled area.

7. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Baldwin in view of Nelson (US 4594580).

In reference to Claim 8, Baldwin discloses a system for the monitoring and controlling of HVAC and security systems. Baldwin does not disclose user selectable modes to indicate a non-occupied state. However, Nelson teaches of an expanded capacity wireless security system with dual-range environmental monitoring control wherein the security system of the invention has three operating modes: "HOME", "AWAY" and "IDLE", see Col. 3 lns 45-68. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the teachings of Nelson into the system of Baldwin because a different number of operational modes in each security and HVAC would increase overall system efficiency and energy-conservation by utilizing power on only the necessary monitoring means.

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8. Claims 9, 11 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baldwin in view of Ehlers (US 6216956) .

In reference to Claim 9, Baldwin further discloses that a plurality of multifunction sensors are connected via data communication network and that the temperature sensors (18) within the multifunction sensors measure and output data to the network, see Col. 7 lns 37-47. Baldwin also discloses that configuration data is received via the network and saved within the sensors, see Fig. 10. Finally Baldwin discloses energy management and peak demand monitoring and control is optimized by the provision of simultaneous information on occupancy status, ambient temperature and light levels and that loads can be added or shed in areas or zones to compensate for environmental conditions in said areas, see Col. 9 lns 35-58. Therefore, one having ordinary skill in the art at the time the invention was made would have readily recognized that each of the multifunction sensors share data and adjust with any one of the other multifunction sensors. Baldwin does not disclose a display. However, Ehlers teaches of an environmental condition control and energy management

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system and method wherein thermostat-like units contain the keypad, temperature sensor, display, audio transducer, contact closure and microcontroller and perform functions 14, 15, 36 and 44, see Col. 34 lns 32-67 and Fig. 4. Therefore, it would have been obvious to one having ordinary skill in the art to incorporate the display because Ehlers shows the interconnectivity, data sharing and adjustment capabilities between the thermostat-like units and that the display makes the multifunction sensors user-friendlier.

In reference to Claim 11, see above rejection in reference to Claim 9.

In reference to Claim 13, see above rejection in reference to Claim 9. In addition, Ehlers further teaches that Temperature sensors distributed with each thermostat-like device will provide, through function 15, a view of temperature gradients which can be used to better balance temperatures within a building and provide for more efficient control. Other equipment, such as the previously described security system and one or more humidifiers or dehumidifiers, will provide status information to the system. The humidifiers and dehumidifiers can provide humidity readings to enable the system to determine the

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best or most economical level of comfort for the premise to meet the occupant status and comfort level demands, see Col. 35 lns 46-57. Therefore, one having ordinary skill in the art would have readily recognized that based on modes and user-inputs, temperatures to areas or zones can be adapted to provide more efficient control and output.

9. Claims 10 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baldwin in view of Ziegler (US 6731992).

In reference to Claim 10, Baldwin does not disclose a graphical user interface as input means. However, Ziegler teaches of a remotely accessible energy control system wherein graphic user interface console (4) displays the status of control devices and sensors for user monitoring, see Col. 5 lns 21-26. Therefore, one having ordinary skill in the art at the time the invention was made would have incorporated the teachings of Ziegler into the system of Baldwin to increase user-friendliness of the system and allow an easier means for adjusting settings.

In reference to Claim 14, Ziegler further teaches outside temperature sensor (unlabeled) used in processing

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to determine optimum settings, see Col. 1 lns 30-45 and Col. 7 lns 56-65.

Allowable Subject Matter

10. Claims 15 and 16 are objected to as being dependent upon a rejected base claim, but appear to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 15 and 16 appear to be allowable because prior art of record fail to disclose the incrementing of time with each depression of a setback button.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Busak et al. (US 5461372) disclose a system and method for modifying security in a security system. Simmons et al. (US 6349883) disclose energy-saving occupancy-controlled heating ventilating and air-conditioning system for time and cycling energy within different rooms of buildings having central power units. Biskup, SR. et al. (US 2004/0075347) disclose a security and energy control system and method.

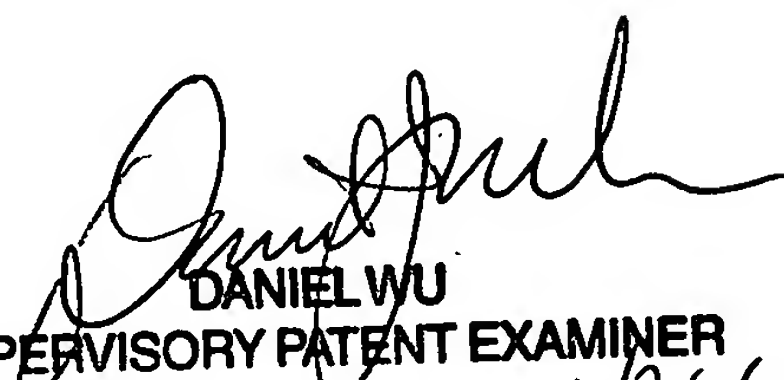
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Correspondence

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samuel J Walk whose telephone number is (571) 272-2960. The examiner can normally be reached on M-F: 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


DANIEL WU
SUPERVISORY PATENT EXAMINER
12/26/04